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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,776	08/15/2001	David M. Hall	10006548-1	2544

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EXAMINER

HUYNH, THU V

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/930,776	HALL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thu V Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 03 December 2004.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) 15 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-14, 16 and 17 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 08/15/2001 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/09/2001.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: election filed 12/03/2004 to application filed on 08/15/2001.
2. Claims 1-17 are pending in the case. Claim 15 is withdrawn. Claims 1-14 and 16-17 are selected for examination.

#### *Election/Restrictions*

3. Claim 15 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected the method for printing information, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 12/03/2004.

Applicants argue that “because documents and printing documents are closely related, serious burden on the Patent Office does not appear to be present”.

Examiner believes that Group II comprises only independent claim 15, is for a method of printing. Group II must be classified and searched in class 358, subclass 1.18. Group I comprises claims 1-14 and 16-17, is for a method and system for layout markup document. Group I must be classified and searched in class 715, subclass 513.

The method of printing information having limitations of defining style information within a style file; providing a source to deliver content; and processing the document definition, style information and content to display a document, which are not addressed in any claim in group I. This causes a serious burden for examining group I together with group II.

Because these inventions are distinct for the reasons given above, restriction for examination purposes as indicated is proper.

***Claim Objections***

4. Claim 12 is objected to because of the following informalities:

Regarding dependent claim 12, claim 12 recites “the interpreter of claim 14” has typographical error, since the interpreter is from claim 11. Appropriate correction is required.

For examination of this claim, examiner assumes that claim 12 dependent on claim 11.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

**Regarding independent claims 1, 9-11, 13, the claims limitations first are not written in the technological arts. As such they could be carried out in a piece of paper with a layout on it. The claim limitations are not tangibly embodied on a computer, computer readable medium or other statutory device.**

**Dependent claims 2-8 and 12 are also not written in the technological arts and/or not tangibly embodied on a computer, and are rejected under the same rationale above.**

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. **Claims 1-3, 9-11, 16 are rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara et al., US 5,051,930, patented 1991, in view of Agarwal, US 4,807,142 patented 1989, and DeRose et al., US 5,983,248, filed 1997.**

**Regarding independent claims 9-11, Kuwabara teaches the steps of:**

- a document definition referencing at least one section (Kuwabara, figures 2A and 4; col.4, lines 48-60 and col.5, lines 30-45; a document references to at least one chapter);
- a section definition, contained within the document definition referencing at least one page (Kuwabara, figures 2A and 4; col.4, lines 48-60 and col.5, lines 30-45; each chapter references to at least one page);
- a page definition, contained within the section definition, referencing at least one region (Kuwabara, figures 2A and 4; col.4, lines 48-60 and col.5, lines 30-45; each page references to at least one region);

- a region definition, contained within the page definition, to display content (Kuwabara, figures 2A, 1A and 4; col.4, lines 48-60 and col.5, lines 30-45; a region is assigned with one of text or graphic data to display); and
- a link, contained within a syntax for the page definition, to associate a first page to a second page and allow excess content to flow from the first page to second page (Kuwabara, col.12, lines 33-40).

Agarwal teaches

- a link, contained within a syntax for the region definition, to associate a first region to a second region and allow excess content to flow from the first region to second region (Agarawal, col.2, lines 19-35; col.10, lines 9-55; each page contains one or more areas for column text; area block contains a pointer to a next area);
- a link, contained within a syntax for the page definition, to associate a first page to a second page and allow excess content to flow from the first page to second page (Agarawal, col.11, lines 42-51; page index field contains pointers identifying the locations of page block).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Agarawal's teaching into Kuwabara's teaching to provide links from page to page and area to area, since the combination would have facilitate the display of next page or/and next area for editing.

DeRose teaches:

- a link, contained within a syntax for the section definition, to associate a first section to a second section and allow excess content to flow from the first section to second section (DeRose, col.16, lines 47-58; last section of a chapter point to the next chapter).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined DeRose's teaching into Agarawal and Kuwabara to provide links from chapter to chapter, since the combination would have facilitate the display of next chapter for editing.

**Regarding claims 1-3,** the claim incorporates substantially similar subject matter of claim 11 and is rejected along the same rationale. Claim 1 also recites a page layout markup language. DeRose teaches designing a markup language document including chapter, sections, paragraphs of text, images, etc. (DeRose, col.9, lines 14-24 and figures 5).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined DeRose into Kuwabara and Agarawal to provide chapter, page, and area for a markup language document, since the combination would have provide a logical structure for documents includes markup language document.

**Claim 16** is for processor-readable media having processor readable instructions thereon for processing claim 11 and is rejected under the same rationale.

8. **Claim 13 is rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara et al., US 5,051,930, patented 1991, in view of Agarwal, US 4,807,142 patented 1989.**

**Regarding independent claim 13, Kuwabara teaches the steps of:**

- a document definition referencing at least one section (Kuwabara, figures 2A and 4; col.4, lines 48-60 and col.5, lines 30-45; a document references to at least one chapter);
- a section definition, contained within the document definition referencing at least one page (Kuwabara, figures 2A and 4; col.4, lines 48-60 and col.5, lines 30-45; each chapter references to at least one page);
- a page definition, contained within the section definition, referencing at least one region (Kuwabara, figures 2A and 4; col.4, lines 48-60 and col.5, lines 30-45; each page references to at least one region);
- a region definition, contained within the page definition, to display content (Kuwabara, figures 2A, 1A and 4; col.4, lines 48-60 and col.5, lines 30-45; a region is assigned with one of text or graphic data to display); and
- a link, contained within a syntax for the page definition, to associate a first page to a second page and allow excess content to flow from the first page to second page (Kuwabara, col.12, lines 33-40).

Agarwal teaches:

- linking a first region to second region and allow excess content to flow from the first region to second region (Agarawal, col.2, lines 19-35; col.10, lines 9-55; each page contains one or more areas for column text; area block contains a pointer to a next area);

- linking a first page to second page and allow excess content to flow from the first page to second page (Agarawal, col.11, lines 42-51; page index filed contains pointers identifying the locations of page block).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Agarawal's teaching into Kuwabara's teaching to provide links from page to page and area to area, since the combination would have facilitate the display of next page or/and next area for editing.

**9. Claim 14 is rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara in view of Agarwal, and further in view of King et al., US 6,161,114, filed 1999.**

**Regarding dependent claim 14,** Kuwabara does not teach defining resources within the region definition, to allow control over at least one image processing operator, selected from among: shrink-to-fit, maintain-aspect-ratio, and clip.

King teaches resources, contained within the region definition, to allow control over at least one image processing operator selected from among: shrink-to-fit, maintain-aspect-ratio, and clip (King, abstract; col.43, lines 29-32).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined King into Kuwabara and Agarwal to control the display of an image in a region of a page, since the combination would have allow the image to scale to fit to an available area.

**10. Claims 4-5 are rejected under 35 U.S. C. 103(a) as being unpatentable over**

**Kuwabara in view of Agarwal and DeRose, as applied to claim 1 above and further in view of Duga et al., US 2002/0174145 A1, filed 10/1998.**

**Regarding claims 4-5**, which is dependent on claim 1, Kuwabara does not disclose resources, contained within the page layout markup language, to allow assignment of absolute values to margin parameters.

Duga teaches resources, contained within the page layout markup language, to allow assignment of absolute and relative values to margin parameters (Duga, [0054] and [0058]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Duga's teaching into Kuwabara's teaching to layout the document, since the combination would have allowed using both absolute or/and relative values to set left and/or right margins of the document.

**11. Claim 6 is rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara in view of Agarwal and DeRose, as applied to claim 1 above and further in view of Santo, US 2004/0205551 A1, filed 07/2001, and Warmus, US 6,205,452, filed 1997.**

**Regarding independent claim 6**, which is dependent on claim 1, Kuwabara does not disclose an element, contained within the document definition, to allow selection and rejection of duplex printing.

Santos teaches an element, contained within the document definition, to allow selection between landscape and portrait page orientation (Santos, [0023]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Santos into Kuwabara, Agarwal and DeRose to provide

width and height properties for a page, since the combination would have offered choices between landscape and portrait page orientation.

Warmus teaches page attributes includes “duplex” that allows single or two-sided printing and “orientation” that allows portrait or landscape printing (Warmus, col.23, lines 9-11; col. 44, line 66 – col.45, line 3).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Warmus into Santo to provide printing properties for a page or a chapter, since the combination would have offered choices for printing such page or chapter of a document.

12. **Claim 7 is rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara in view of Agarwal and DeRose, as applied to claim 1 above and further in view of Santo, US 2004/0205551 A1, filed 07/2001.**

**Regarding independent claim 7**, which is dependent on claim 1, Kuwabara does not disclose an element, contained within the document definition, to allow selection between landscape and portrait page orientation.

Santos teaches an element, contained within the document definition, to allow selection between landscape and portrait page orientation (Santos, [0023]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Santos into Kuwabara to provide width and height properties for page attribute, since the combination would have offered choices between landscape and portrait page orientation.

13. **Claims 8, 12, and 17 are rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara in view of Agarwal and DeRose, and further in view of Dutta, US 2002/0109729 A1, filed 10/2000.**

**Regarding independent claims 8 and 12,** Kuwabara does not teach resources, contained within the region definition, to allow control over at least one image processing operator selected from among: shrink-to-fit, maintain-aspect-ratio, and clip.

Dutta teaches resources, contained within the region definition, to allow control over at least one image processing operator selected from among: shrink-to-fit, maintain-aspect-ratio, and clip (Dutta, [0040]-[0046]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Dutta into Kuwabara, Agarwal and DeRose to control the display of an image in a region of a page, since the combination would have allow the image to shrink or enlarge to fit an available area as Dutta disclosed in paragraph 0046.

**Claim 17** is for processor-readable media having processor readable instructions thereon for processing claim 12 and is rejected under the same rationale.

14. **Claims 8, 12, and 17 are rejected under 35 U.S. C. 103(a) as being unpatentable over Kuwabara in view of Agarwal and DeRose, and further in view of King et al., US 6,161,114, filed 1999.**

**Regarding independent claims 8 and 12,** Kuwabara does not teach resources, contained within the region definition, to allow control over at least one image processing operator selected from among: shrink-to-fit, maintain-aspect-ratio, and clip.

King teaches resources, contained within the region definition, to allow control over at least one image processing operator selected from among: shrink-to-fit, maintain-aspect-ratio, and clip (King, abstract; col.43, lines 29-32).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined King into Kuwabara and Agarwal to control the display of an image in a region of a page, since the combination would have allowed the image to scale to fit to an available area.

**Claim 17** is for processor-readable media having processor readable instructions thereon for processing claim 12 and is rejected under the same rationale.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krishna et al., US 6,055,522, teaches automatic page converter.

Arora et al., US 5,845,299, teaches draw-based editor for web page.

Saito et al., US 2001/0039551 A1, teaches document management apparatus.

Hayashi et al., US 5,499,331, teaches method of document layout process and system.

Warnock et al., US 5,634,064, teaches method and apparatus for viewing electronic document.

Maeda et al., US 2001/0054049 A1, teaches information processing system, proxy server, web page display method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TVH  
March 1, 2005

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